

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
Richmond Division**

| | | |
|---------------------------|---|--------------------------------|
| WALTER Z. SPELLER, |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | Civil Action No. 3:15CV781-HEH |
| |) | |
| COMMONWEALTH OF VIRGINIA, |) | |
| |) | |
| Respondent. |) | |

FINAL ORDER
(Adopting Report and Recommendation and Dismissing Action)

In accordance with the accompanying Memorandum Opinion, it is hereby
ORDERED that:


1. The Report and Recommendation is ACCEPTED and ADOPTED;
2. The action is DISMISSED for lack of jurisdiction; and,
3. The Court DENIES a certificate of appealability.

Should Speller desire to appeal, a written notice of appeal must be filed with the Clerk of the Court within thirty (30) days of the date of entry hereof. Failure to file a notice of appeal within that period may result in the loss of the right to appeal.

The Clerk is DIRECTED to send the Memorandum Opinion and Final Order to Speller and counsel of record.

And it is so ORDERED.

Date: July 28, 2016
Richmond, Virginia

_____/s/
Henry E. Hudson
United States District Judge